



STATE OF CONNECTICUT

OFFICE OF STATE ETHICS

OFFICE OF STATE ETHICS' STATEMENT REGARDING PROPOSED BILL No. 276 AN ACT PROHIBITING FORMER STATE EMPLOYEES FROM SEEKING, ENTERING INTO OR NEGOTIATING STATE CONTRACTS GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE MARCH 7, 2011

The Office of State Ethics ("OSE") respectfully submits the following comments regarding Proposed Bill No. 276, An Act Prohibiting Former State Employees from Seeking, Entering into or Negotiating State Contracts, which would prohibit former state employees from seeking, entering into or negotiating a contract for goods or services with a state agency on such employee's own behalf or on behalf of a partnership, association or professional corporation for three years after leaving state service.

Although the OSE generally supports strengthening ethics laws, the proposed amendment to the general statutes appears to be overbroad in light of the existing provisions that impose restrictions on former state employees.

The current language in Proposed Bill No. 276 appears to suggest that the prohibition on contracting by former state employees applies to all state agencies and not just the agency which employed the former state employee. Presently, under the revolving-door provisions of the Code of Ethics for Public Officials, former state employees and officials are restricted from representing anyone for compensation before his or her former state agency for a period of one year after leaving state service, concerning any matter in which the state has a substantial interest. Personal contact with one's former agency within one year after leaving state service for the purpose of being reemployed as either a state employee or independent contractor is permitted. The Office of State Ethics would recommend that the restriction on contracting be limited to the agency or agencies which employed the former state employee or official within the final year of employment or service.

Further, with the exception of two lifetime prohibitions concerning disclosure of confidential information and side-switching on a particular matter, most other provisions that deal with post-state employment and activities are limited to one year. The Office of State Ethics would recommend limiting the prohibition on contracting by former state employees to one year so as to avoid challenges to the law.

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